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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,321	12/29/2000	Robert Walter Schreiber	52817.000126	6990
29315	7590	06/23/2004		
MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC 12010 SUNSET HILLS ROAD SUITE 900 RESTON, VA 20190				
			EXAMINER COULTER, KENNETH R	
			ART UNIT 2141	PAPER NUMBER

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/750,321	Applicant(s) SCHREIBER, ROBERT WALTER	
	Examiner Kenneth R Coulter	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 2000 and 29 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/23/01; 1/30/03</u> | 6) <input checked="" type="checkbox"/> Other: <u>IDS: 6/18/03; 11/5/03; 4/5/04</u> |

DETAILED ACTION

Drawings

1. Examiner approves the changes to Figure 3B (1/29/01; paper #6).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 – 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Goldberg et al. (U.S. Pat. No. 6,434,543) (System and Method for Reliable Caching of Database Connections in a Distributed Application).

- 3.1 Regarding claim 1, Goldberg discloses a method for caching a network connection, comprising the steps of:

receiving a connection request for at least one first connection between at least one terminal and a server (Abstract; Fig. 3, items 306, 308; col. 5, lines 28 – 37 “The interaction of client objects 302 and 304 with server object 310 is illustrated by arrows

306 and 308"; col. 5, line 66 – col. 6, line 5 "when client 302 re-establishes a connection 306 between itself and server 310");

establishing the at least one first connection between the at least one terminal and the server (Abstract; Fig. 3, items 306, 308; col. 5, lines 28 – 37 "The interaction of client objects 302 and 304 with server object 310 is illustrated by arrows 306 and 308"; col. 5, line 66 – col. 6, line 5 "when client 302 re-establishes a connection 306 between itself and server 310");

requesting at least one second connection between the server and the at least one end device (Abstract; Fig. 3, items 310, 316, 320, 324; col. 5, lines 46 – 65 "**server 310 establishes a connection to one of databases 324 and 326 by requesting a connection handle** from connection manager 316.");

establishing the at least one second connection (Abstract; Fig. 3, items 310, 316, 320, 324; col. 5, lines 46 – 65); and

maintaining a record of the at least one second connection established (Abstract; Fig. 3, item 318; col. 5, lines 46 – 65 "Connection manager 316 maintains an internal cache 318 of connections that have been opened.").

3.2 Per claim 2, Goldberg teaches the step of receiving a disconnection request for the at least one first connection from the at least one terminal (col. 5, lines 46 – 65 "**When client 302 has finished with server 310, it drops the connection 306.**").

3.3 Regarding claim 3, Goldberg discloses the step of disconnecting the at least one first connection (col. 5, lines 46 – 65 “**When client 302 has finished** with server 310, it **drops the connection 306.**”).

3.4 Per claim 4, Goldberg teaches the step of sustaining the at least one second connection after the at least one first connection has been disconnected (col. 5, lines 46 – 65 “).

3.5 Regarding claim 5, Goldberg discloses that the record is a list of established second connections (Abstract; Fig. 3, items 302, 310, 306, 324, 320; col. 5, lines 46 – 65 “**When client 302 has finished** with server 310, it **drops the connection 306.** However, **connection manager 316 does not release connection 320**, but instead stores the connection information including identification information for the client 302, ... ”)

3.6 Per claims 6 – 20, the rejection of claims 1 – 5 under 35 USC 102(e) (paragraphs 3.1 – 3.5 above) applies fully.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth R Coulter whose telephone number is 703 305-8447. The examiner can normally be reached on 5 4 9.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

krc

KENNETH R. COULTER
PRIMARY EXAMINER
